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In response to the Notice Of Non-Compliant Appeal Brief mailed 11/27/2007 in Application No. 10/829,434, enclosed is a replacement page 2 of the Brief now including claim 63 in Section 3.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Name Edward J. Stemberger, 36017
December 4, 2007Sig. 

Date

3. Status of Claims:

Claims 25-27, 29-31, 36, 38-43, 45-61, 63, 64, 66 and 82-128 are pending in this application. Claims 1-24, 28, 32-35, 37, 44, 62, 65, 67-81 are canceled. Claims 104-128 are withdrawn. Claims 25-27, 29-31, 36, 38-43, 45-61, 63, 64, 66, and 82-103 stand rejected by the Examiner, and are appealed.

4. Status of any Amendment File Subsequent to Final Rejection:

Since the rejection of the appealed claims was presented in the non-final March 12, 2007 Office Action, no Amendment was filed in response to a Final Rejection. This Brief responds to the March 12, 2007 Office Action.

5. Summary of Claimed Subject Matter:

The claimed subject matter includes independent claim 25, and dependent claims 26-27, 29-31, 36, 38-43 and 46-61, 63-64, 66, and 82-103.

Independent claim 25 specifies an energy distribution network including at least one hydrogen generator (10 in Fig. 1, page 13, line 17-18) for generating hydrogen using electric energy received from at least one source of electric energy (12 in Fig. 1, page 13, lines 18-20). At least one hydrogen storage reservoir (16 in Fig. 1, page 13, line 20 and 726 in Fig. 7A, page 20, lines 27-29 and see definition of "hydrogen fuel user means" at page 5, lines 21-24) is provided for storing at least some of the hydrogen produced by the at least one hydrogen generator. At least one controller (14 in Fig. 1, page 13, lines 26-30) is in communication with the at least one hydrogen generator and the at least one hydrogen storage reservoir for controlling the generation and storage of hydrogen. The at least one controller has a central processor and computer (see definition of "controller" at page 4, line 25) for receiving and processing data and for controlling the generation and storage of hydrogen based on said data, said data including data pertaining to a demand for hydrogen (page 13, lines 23-34), data pertaining to availability of electric energy (page 14, lines 1-5) and data pertaining to the status of said at least one hydrogen generator (page 14, lines 6-11).

Appeal Brief filed November 6, 2007
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